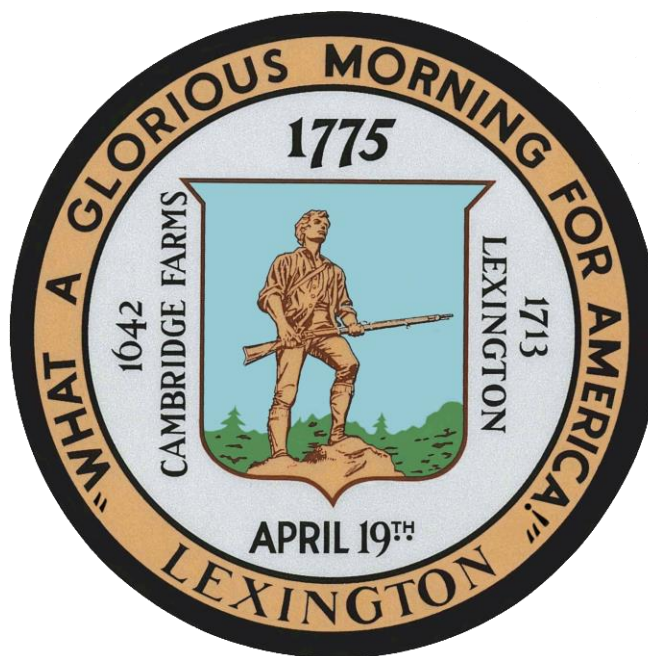


Lexington Historic Districts Commission Guidelines



Revised November 2015
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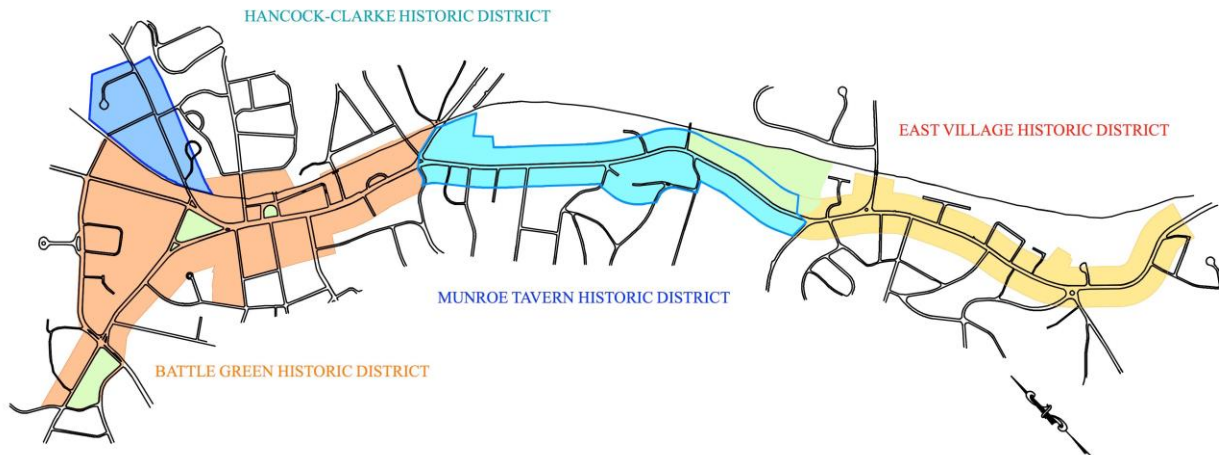
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INTRODUCTION



The Lexington Historic Districts Commission (HDC) is concerned not just with the events of April 19, 1775, but rather with the architectural heritage and integrity of the town over more than two centuries of physical, social and commercial growth.

The four contiguous Districts follow the spine of Massachusetts Avenue from near the Arlington line, through the East Village and Lexington Center to Hastings Park. They include spurs just off the Avenue, up Hancock Street to the Hancock-Clarke House and down Muzzey Street to the former Hancock School. Since its establishment in 1956, the HDC has worked to maintain the architectural integrity of this core of the town, and these neighborhoods, with all their inherent diversity of style.

This diversity stems from the way the town has grown from an 18th century farming village to a mature 21st century suburb. The purpose of the HDC is not to recreate the 18th century, but to recognize the changes that have taken place and honor history and the cohesiveness in architectural style of individual houses and, where appropriate, neighborhoods by preserving a framework of architectural design that reflects the best qualities of each period.

For this reason, these guidelines cannot be a prescriptive design manual of simple "do's" and "don'ts". Reasonable judgment is involved, from both the applicants and the Commission. Certain principles are fundamental, however, such as the use of quality, preferably natural, materials that preserve the integrity and character of the building and site. These guidelines list some examples of appropriate choices to be made.

The examples listed are by no means complete or definitive, but are included to illustrate points that are important to the architectural character of a building, a neighborhood and ultimately of the town as a whole.

ENABLING LEGISLATION

CHAPTER 447, ACTS OF 1956

AN ACT ESTABLISHING AN HISTORIC DISTRICTS COMMISSION FOR THE TOWN OF LEXINGTON AND DEFINING ITS POWERS AND DUTIES, AND ESTABLISHING HISTORIC DISTRICTS IN THE TOWN OF LEXINGTON

(As amended by Ch. 185, Acts of 1958, Ch. 579, Acts of 1966; Ch. 268, Acts of 1978; Ch. 375, Acts of 1982; Ch. 426, Acts of 2000) (as so amended, the "Historic Districts Act") (on line at <http://ecode360.com/13718954> pp. A201:27 - A201-37)

PURPOSE

The purpose of the Historic Districts Act is "to promote the educational, cultural, economic and general welfare of the public through the preservation and protection of historic buildings, places and districts through the development of appropriate settings for said buildings, places and districts and through the maintenance of said buildings, places and districts as landmarks of historic interest."

SECRETARY OF THE INTERIOR'S STANDARDS AND GUIDELINES FOR REHABILITATING HISTORIC BUILDINGS

The HDC strives to apply the Secretary of the Interior's Standards and Guidelines for Rehabilitation, as appropriate for each building and structure that comes before the Commission:

<http://www.nps.gov/tps/standards/rehabilitation/rehab/stand.htm>

The standards and guidelines are established criteria and best practice conventions used by most Historic Districts nationwide as a basis for their regulatory decisions.

NAMES AND LOCATIONS OF THE DISTRICTS

The enabling legislation established four Historic Districts in Lexington:

The Battle Green Historic District
The Hancock-Clarke Historic District
The Munroe Tavern Historic District and
The East Village Historic District

A **MAP** showing the Historic Districts is available at:

http://www.lexingtonma.gov/sites/lexingtonma/files/uploads/historicdistricts_map_10-07-2008.pdf

A **LISTING OF STREETS AND HOUSE NUMBERS** in the Historic Districts is available at:

http://www.lexingtonma.gov/sites/lexingtonma/files/uploads/hdc-alphabetical_list_of_streets_0.pdf

APPLICATION MATERIALS, these guidelines and additional information relating to the Historic Districts Commission are available on line at:

<http://www.lexingtonma.gov/sites/lexingtonma/files/uploads/20151215090615.pdf>

or at the Office of Community Development in the Town Office Building.

GUIDELINE APPLICABILITY AND ENFORCEMENT

Under the Historic Districts Act, the HDC must issue a **CERTIFICATE OF APPROPRIATENESS (CofA)** before any external alterations visible from a public way or place can be made to any building, structure, sign or place within the Historic Districts.

The HDC does not typically regulate temporary installations of buildings, structures, signs or other exterior architectural features and their attachments, unless otherwise specified herein and provided the Commission has been notified in writing of start and duration dates prior to installation. Temporary is defined as an installation for a period of 45 days or less. Buildings, structures, signs or other exterior architectural features and their attachments, installed for longer than 45 days require a Certificate of Appropriateness.

If any portion of a building or structure is within a Historic District, then the entire building or structure is deemed to be in the District, and subject to HDC jurisdiction.

A building permit will not be issued without a Certificate of Appropriateness.

During construction and before a Certificate of Occupancy is issued, building inspectors review work to confirm compliance with the Certificate of Appropriateness.

Violating the provisions of the Act is a misdemeanor and subject to fine, as well as other noncriminal dispositions.

DEFINITIONS

An **EXTERNAL ALTERATION** is any change to the architectural features of any structure, including but not limited to, additions, demolitions, color or materials changes, but also any added attachments, such as signs and banners and their related hardware.

A **PUBLIC WAY or place** includes streets, private ways, alleys, walkways, cemeteries, parks and the Minuteman Bikeway.

A **BUILDING** is defined as a combination of materials having a roof and forming a shelter for persons, animals or property.

A **STRUCTURE** is defined as a combination of materials, other than a building, sign or billboard. The HDC also considers fences, walls, terraces, walks and driveways to be structures subject to Commission review.

EXTERIOR ARCHITECTURAL FEATURE is defined as such portion of the exterior of a building or structure as is open to view from a public street, public way, public park or public body of water, including but not limited to the architectural style and general arrangement and setting thereof, the kind, color and texture of exterior building materials, the color of paint or other materials applied to exterior surfaces and the type and style of windows, doors, lights, signs and other appurtenant exterior fixtures.

APPLICATION PROCEDURE

A public hearing is required before a Certificate of Appropriateness can be issued.

HDC hearings are typically held the first Thursday of the month, beginning at 7:00 p.m. in the Selectmen's Meeting Room in the Town Office Building. The date, time and place of all hearings are posted in the *Lexington Minuteman*, on line and in the Town Office Building.

Hearings fall into the following categories:

INFORMAL HEARINGS

This is an opportunity to come before the HDC with questions, ideas and sketches to see if the anticipated project is "on the right track". An informal hearing is mandatory for larger projects such as an addition or major renovation. The applicant should submit the application for an informal hearing at least three business days in advance of the hearing to be placed on the posted agenda. The applicant should bring in sufficient support material the night of the informal hearing so that the Commission can understand the proposed project. Informal hearings are usually held after all the formal hearings of the evening have occurred.

FORMAL HEARINGS

A formal hearing is necessary to receive the Certificate of Appropriateness required to obtain a building permit in the Historic Districts. The formal application with accompanying support material must be submitted to the HDC clerk approximately four weeks prior to the hearing. The long lead time is necessary so the hearing can be advertised in the *Lexington Minuteman* and abutters notified. The applicant should confirm the deadlines on line or with the HDC clerk.

INITIAL FORMAL HEARINGS – The first time a project comes before the Commission on a formal basis an advertised formal hearing is required. Some changes, such as paint color and certain re-roofings, require a formal hearing but do not need to be advertised. The HDC clerk will advise when the application is submitted.

CONTINUED FORMAL HEARINGS – If the application is incomplete or changes are requested to the proposed design, the project may be "continued" to the next or subsequent months. There are no additional fees for this Continued Hearing. Large or more complicated projects are usually continued because changes are often required or desired once construction begins.

Any exterior change or addition to a previously- approved design requires HDC review before implementation. Contact the HDC clerk at least three business days prior to the hearing to be placed on the Continued agenda.

REPRESENTATION AT SCHEDULED HEARINGS

At the hearing, applicants may be represented by their attorney, architect, builder or other authorized representative. Applicants should notify the HDC clerk 24 hours in advance if unable to attend a scheduled hearing, or the application may be denied.

TIME LIMITS

Work must commence one year from the date the Certificate is signed unless an extension is requested and approved by the HDC.

WHAT IS MEANT BY APPROPRIATENESS?

KNOW THE BUILDING

Every building has architectural features, or characteristics that make it look the way it does. Every building has walls, windows, a roof, and at least one door. The size, shape, materials and color of each of these elements help to define the style of the particular building. Appropriate changes or additions acknowledge and are sympathetic to the style of the original building and to the neighborhood of the building.

Say, for example, that you are the owner of a Cape-style house. It probably has a simple gable roof, is one story in height and has double-hung windows with a 6/6 window-pane configuration. It is covered in either shingles or narrow clapboards. An appropriate addition would repeat or play off of these architectural features. The addition would probably be one story in height with a similar roof line and eave line, have similar windows and be covered in similar materials. But proposing to add a two-story addition with tall, narrow windows and elaborate trim details would not be appropriate for your Cape, even though it would be acceptable for a Victorian-style house.

MATERIALS

Natural materials, such as wood, glass, brick and stone are the preferred building materials in the Historic Districts. These are the materials historically used in construction, and it is appropriate to use the same materials when building, renovating or expanding.

Synthetic materials, such as vinyl or plastic are generally not appropriate. These materials frequently try to imitate natural materials but usually with limited success. Synthetic materials often look "fake" or "cheap" because they do not have all the same properties as the original material and cannot be detailed in the same way.

Synthetic, substitute or imitation materials are often described as "no maintenance". Unfortunately, this means that the materials cannot be maintained. When the vinyl windows or aluminum siding or plastic signs fade, chip, dent, scratch or crack, they cannot be repaired, repainted or repointed. They can only be replaced. Most synthetic materials do not age gracefully. They are usually disposable, most with a relatively short useful life expectancy when compared to the natural materials they hope to replace. Vinyl, aluminum and plastic are better suited to construction that is completely rebuilt every 20 years or so. There are newer composite materials that may be found to be appropriate for certain buildings and structures in special circumstances. But as a general rule, the architectural fabric of the Historic Districts should be woven of wood, brick, stone and similar materials that will last generations when properly maintained.

SIZE AND SCALE

The size and scale of a proposed addition in relation to that of the existing and neighboring buildings will be evaluated. Additions or new construction should not overpower the original structures.

The following features should match or harmonize with the existing building and the neighborhood:

EAVE LINES – Generally, eave lines should align with or be lower than the original house. An inappropriate proposal would attach a two-story addition to a one-story house.

BUILDING WIDTH, DEPTH AND HEIGHT (referred to as "**MASSING**") - A proper addition is not overwhelming. Its width, height and depth are similar in scale to the original structure. An inappropriate addition would typically be taller and/or wider than the original building.

ROOF CONFIGURATION - A roof is one of a building's most prominent features and a key element in defining its style. Roof types include gable, hipped, mansard, shed and flat. Sloped roofs may have a shallow or steep pitch and a deep overhang or none. The rafter tails on sloped roofs may be exposed or they may be enclosed in a soffit. Proposed additions should match or harmonize with the roof style and details of the existing building.

EXAMPLES OF ITEMS SUBJECT TO REVIEW

MOST FREQUENTLY REVIEWED ITEMS

The following list of examples subject to review should be considered to be a guideline only. It is not intended to be all-inclusive.

- additions/demolitions
- air conditioning units
- attachments to houses
- chimney caps
- construction of a building
- exterior lighting fixtures
- garden houses, structures and storage sheds
- landscape elements such as fences, walls, drives, walkways
- mechanical and plumbing vents
- paint colors for buildings and structures
- playsets
- roofing
- shutters and hardware (adding or deleting)
- siding
- signage
- skylights
- solar panels
- storm windows/doors/screens/awnings
- street furniture
- street numbers
- swimming pools
- windows

IF YOU ARE UNSURE WHETHER AN ITEM NEEDS A CERTIFICATE, PLEASE CHECK WITH THE HDC CLERK BEFORE STARTING WORK.

Some further explanation:

AIR CONDITIONERS - Permanent heating/air conditioning units situated on a concrete pad outside the house that are visible from a public way do require a Certificate. They are usually approved though some screening may be required.

ATTACHMENTS TO HOUSES - Window boxes and other attachments fall into this category.

CHIMNEY CAPS - If a chimney cap is necessary, “metal cage” type caps are generally not approved. There are several ceramic styles that can be approved; also it is possible to build a “table” out of brick and bluestone.

DEMOLITION - Demolitions are rarely approved in the four Historic Districts. When applying for approval to demolish a building, it is necessary to receive approval of the design and siting of the replacement building before the demolition will be approved. The importance of the old building to the streetscape, as well as the building’s historical significance, will be considered by the Commission.

FENCING - Natural fencing (hedges) is encouraged where possible. "Thin wire" fencing may be installed inside hedges to make them less child, pet, and ball permeable.

Fences of wood, stone, brick or iron are generally approved. Vinyl fences are not an appropriate material in the Lexington Historic Districts. Fences across the front of a property are discouraged, especially across the front of a house.

Fences can require Board of Appeals approval; check with the Building Division in the Office of Community Development.

Normally a side-yard fence should begin some distance back from the sidewalk. This distance is determined by the neighborhood context, in particular the distance between the two properties to be fenced.

GARDEN HOUSES AND STORAGE SHEDS - The manufacturers of some garden houses may tell you that they do not need approval. This is not the case in the Lexington Historic Districts.

LANDSCAPING - While the HDC does not have jurisdiction over landscaping, per se, it does have jurisdiction over fences, walls, paths, driveways and non-plant surface materials if they are visible from a public way. The Commission may also require plant screening for approval of an architectural element, such as fencing or permanent heat pump/air conditioning units.

MECHANICAL AND PLUMBING VENTS – The HDC needs to approve vent caps, pipes and fan exhausts that will come through the roof or siding and their location. It is not recommended that they come through the front siding or roof.

PAINT COLORS - No hearing is required to repaint a house its current color.

No hearing is required to paint a house "white", although it is appropriate that the Office of Community Development be notified of this change. The applicant should provide the brand, name and number of the proposed color. Be aware that there are many off-shades of white with specific names, such as Benjamin Moore Montgomery White, which are very definite colors. These colors require an unadvertised, formal hearing.

The HDC is quite flexible on color changes; however, there are occasions when a color may be refused because of the colors of adjacent houses, or the style of architecture or the age of the house.

Many color samples are not the same on a chart as they are when made up. It is advisable to get a small can made up of your preferred colors and paint them on a slab of wood to bring to your hearing. You can also paint a small portion of the side or rear section of the house to check out the colors. The HDC often requires this and will visit the site to review the colors.

PAVING

DRIVEWAYS may be made of several different materials: pea stone, brick, granite cobblestones (as well as precast concrete cobblestones and bricks), concrete and asphalt. The latter two are sometimes used with a border of cobblestone or brick, as well as with approximately the first five feet of driveway done with cobbles to soften the look of an asphalt driveway.

PATHWAYS may be made of the above materials as well as bluestone or other flat stones with grass in between.

PLAY SETS- Play sets are usually approved but for a certain number of years only; an extension of the number of years may be applied for and is usually granted.

ROOFING - No hearing is required if the re-roofing is exactly the same as the old: color, material, treatment of flashing and valleys, drip edge and/or vents. If only a color change is requested, an **Unadvertised Hearing** will be required; if any of the other above-mentioned items is being added or changed, an **Advertised Hearing** will be required.

SHUTTERS – A hearing is required to remove or add shutters on the exterior. Appropriate hangers will be required. Please do not simply plan to nail the shutters to the house. Shutter size is an important component; they should be the height of the window and one-half its width. Since the louvers on functional shutters would be angled down to shed rain when shutters are closed, they will be angled up when the shutters are open.

SIDING – The HDC generally does not approve the use of aluminum or vinyl siding in Lexington.

SIGNS - Signs in the business districts of the Historic Districts come under the purview of the HDC, as well as signs on institutions and residential properties. Not only the sign, but also the hardware used to install it will be reviewed before a Certificate of Appropriateness will be granted.

There are several buildings that have their own sign guidelines. These are the Manhattan Building on Waltham Street, the Giroux Building on Massachusetts Avenue/Meriam Street/Depot Square, the Spaulding-managed buildings (Lexington Square, 1646 and 1656 Massachusetts Avenue), the Salter Building, and the Mews on Muzzey Street. The Commission strives for consistency with signage on any building.

TEMPORARY SIGNS – There are three types of temporary signs: those for real estate, for official town celebrations and for charity drives.

For real estate sales or rental of real estate please refer to the Town Bylaws at the Office of Community Development for any required permits.

For a specific official celebration or for any charity drive, **a single sign or banner** does not generally require a Certificate of Appropriateness; however, for **multiple signs or banners** and/or for an extended length of time (more than 30 days), the Commission requires a formal hearing. All signs or banners must be removed within three days following the event, unless a Certificate is issued which states differently. For a charity drive of short duration, the Commission expects a letter to be sent to the Commission a month before the event, and a letter of acknowledgement will be sent in return. If you are going to have the same charity event or celebration each year, and at the same time, the letter may state same, so that a new letter does not need to be sent yearly.

Signs tend to change frequently, and the attachment of a sign should be reversible to permit later restoration of a building. For example, drilling into brick is discouraged; lettering should be drilled into mortar so that the building is not damaged permanently.

Approval of a given sign is limited to the owner of the business or the building and shall not be transferable to another business. For example, signs should be removed, or resubmitted, when the operation or purpose of the advertised business changes or when a new owner comes in and changes the name of the business.

Exterior walls of buildings shall not be used for display of merchandise or for temporary advertising boards, including banners.

NEON SIGNS are not appropriate for signage in any of the Historic Districts.

BLADE SIGNS (projecting signs) are reviewed on an individual basis. They are considered a "hardship" item, as they are only approved when it is important to notify people of a business in a difficult location or sometimes when there are two businesses at one location.

BANNERS AND FLAGS are considered signs, and they and their hardware require a certificate. The only banners that do not need a hearing are those for a town celebration or for a charity drive - see above.

AWNINGS AND CANOPIES are considered attachments to buildings and will also be considered signage if they have anything written on them. They are rarely approved, as they are difficult to maintain: they mildew, fade and are difficult to keep clean; occasionally they rip or are even pulled off in high winds. There have been many cases where the business owners have not taken care of them. Also, they can block the view of other businesses if not properly designed. If they are approved, their hardware is subject to review also.

A **MENU BOX** requires a hearing before the Commission. It is only approved if the owner will use it for a menu only, no advertising or restaurant reviews.

HISTORICAL MARKERS require a certificate.

SKYLIGHTS - Skylights require HDC approval. The Commission is sensitive to the number and size; also, skylights on a front elevation will likely not be permitted.

STORM WINDOWS AND DOORS - Storm windows may be wood or aluminum; if using aluminum, the frames should be painted to match the trim color. Storm doors of wood will usually be approved. It is sometimes possible to weather-strip your front door well enough to preserve this architecturally significant aspect of a property without a storm door.

STREET FURNITURE - Miscellaneous public street furniture, such as traffic and light boxes, vending machines (newspaper boxes), trash receptacles, telephone panels/booths, planters, and outdoor furniture for food establishments, including umbrellas are subject to HDC review and shall be appropriate in scale, design, materials and color.

The Commission does not generally approve of merchants in the Historic Districts placing items for sale on the exterior of their businesses, except for some special events, such as Discovery Day.

STREET NUMBERS - Street numbers are required on all buildings by both the Fire and Police Departments for safety reasons. If your property does not already have numbers, please add them. Black metal and brass numbers are appropriate on any building.

WINDOWS - The Commission prefers that old windows be repaired rather than replaced, especially on significant older houses. The muntin size, wavy glass, bubbles and sometimes the tint are important to the historic character of a building. If replacing windows, the Commission favors simulated or true-divided lites rather than pop-in or between the glass grids. Only clear-paned, non-tinted glass shall be used (except to replace original stained glass) in houses. Mirrored or tinted glass is not appropriate. A more detailed discussion of appropriate windows for historic structures is available from the HDC clerk or online: <http://www.preservationnation.org/information-center/sustainable-communities/buildings/weatherization/windows/>

RESPONSIBILITIES OF LEXINGTON HISTORIC DISTRICTS COMMISSION, LEXINGTON HISTORICAL COMMISSION, LEXINGTON HISTORICAL SOCIETY, and DESIGN ADVISORY COMMITTEE

There are three organizations in town that are involved in historic preservation and they are often confused with each other. There is also a committee that provides design guidance to the town.

The **LEXINGTON HISTORIC DISTRICTS COMMISSION** was established by a special act of the State Legislature under Chapter 447 of the Acts of 1956, as amended. It has jurisdiction over the four registered Historic Districts in the town. Its purpose is "to promote the educational, cultural, economic and general welfare of the public through the preservation and protection of historic buildings, places and districts through the development of appropriate settings for said buildings, places and districts and through the maintenance of said buildings, places and districts as landmarks of historic "interest." The HDC consists of five commissioners nominated by the Lexington Historical Society, the Cary Memorial Library, the Arts and Crafts Society and the Board of Selectmen; as well as four associate commissioners nominated by the Lexington Historical Society, the Cary Memorial Library and the Arts and Craft Society. The Board of Selectmen appoints all Commissioners.

The Commission is responsible for approving all exterior architectural changes to **buildings** and **structures** within the four Historic Districts, including demolition, construction, exterior renovation, color changes and signs. The Commission meets once a month, and anyone aggrieved by a decision of the Commission may appeal to the Middlesex Superior Court.

The **LEXINGTON HISTORICAL COMMISSION** is a five-member board appointed by the Town Manager with Board of Selectmen approval. It holds public hearings with respect to any proposed demolition that is not in one of the Historic Districts.

At the hearings, if an architecturally or historically "significant" building is found to be "preferably preserved", no demolition permit can be issued until the earlier of the Commission's finding that there is no reasonable likelihood that the owner or other group or person is willing to purchase, preserve, rehabilitate or restore the building; or continuing bona fide and reasonable efforts to locate a purchaser to preserve, rehabilitate or restore the building have been unsuccessful; or 12 months have elapsed since the Commission's determination.

The Commission was established under Massachusetts General Laws Chapter 40, Section 8D, for the preservation and development of the historical, architectural and archaeological assets of the Town. It maintains an inventory of all buildings, areas and sites of architectural and/or historical importance in the Town. Since it collects information concerning architectural styles, preservation technology and financial benefits for historic preservation, anyone applying to place a property on the National Register of Historic Places should first contact the Historical Commission. The current inventory and related information is available on line at <http://historicsurvey.lexingtonma.gov/>. The Commission is authorized to acquire, in the name of

the Town, full ownership of or preservation restrictions on any real or personal property of significant historical value and may manage the same.

The **LEXINGTON HISTORICAL SOCIETY** is a non-profit corporation that manages the three museum houses in the town: the Buckman Tavern, the Hancock-Clarke House and Munroe Tavern. It also owns and operates as its headquarters the Lexington Depot Building in the Center. The Society's mission is "to be the premier interpreter of the events of April 1775, and the faithful steward of all of the town's history through time". It has a large archival space that contains information about Lexington's residents and produces many programs of historical interest each year, which are free or at a nominal charge to the public. .

The **DESIGN ADVISORY COMMITTEE** (DAC) is an advisory committee appointed by the Board of Selectmen. Its purpose is to assist the town in providing professional guidance on town-funded projects, town buildings, facilities, lands, parks and public areas. It may also be asked to review and comment on proposals by private sector firms where a town interest is involved. However, the Historic Districts Commission has exclusive and final jurisdiction over all projects located within the Historic Districts.

OFFICE OF COMMUNITY DEVELOPMENT

The **OFFICE OF COMMUNITY DEVELOPMENT** "seeks to protect and improve the quality of life of the citizenry by providing leadership in the promotion and preservation of a safe, healthy and desirable living and working environment". In conjunction with these goals, the Office of Community Development integrates the different regulatory divisions of:

- Building
- Conservation
- Zoning
- Health
- Historical Commission
- Historic Districts Commission
- Zoning Board of Appeals

All projects, as well as those in the Historic Districts, must comply with the building, conservation, zoning and health requirements regulated by the first four divisions.

If proposed construction is not compliant with the zoning bylaws, relief may be sought through the **ZONING BOARD OF APPEALS**. When a hearing from both the Board of Appeals and the HDC is required, approval from one Board will be contingent on the other Board's approval. It is not automatic that one will receive approval from both boards.